

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

REC'D	4 OCT 2004
WIPO	PCT

see form PCT/ISA/220

RW3
AEV

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/B2004/051475

International filing date (day/month/year)
04.08.2004

Priority date (day/month/year)
07.08.2003

International Patent Classification (IPC) or both national classification and IPC
H04N5/44, H03J1/00

Applicant
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - Glitschner Str. 103
D-10958 Berlin
Tel. +49 30 25901 - 0
Fax: +49 30 25901 - 840

Authorized Officer

Dudley, C

Telephone No. +49 30 25901-462



Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/B2004/051475

Box No. II Priority

1. The following document has not been furnished:

- copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
- translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	3-8, 15-17
	No: Claims	1, 2, 9-14, 18-20
Inventive step (IS)	Yes: Claims	3-8, 15-17
	No: Claims	1, 2, 9-14, 18-20
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1. The following document is referred to in this communication:

D1 : WO 01/28093 A (Koninklijke Philips Electronics N.V.)

2. INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses (the references in parenthesis applying to this document):

a method for providing channel numbers, comprising:

receiving at least one domestic digital data transmission and at least one foreign digital data transmission (see page 10, lines 17 to 25);

wherein the at least one digital data transmission and the at least one foreign digital data transmission include logical channel number data for channels of programs therein (see page 7, lines 4 to 16);

assigning channel numbers for the channels of programs in the at least one domestic digital data transmission according to the logical channel number data therein (see page 11, lines 17 to 19); and

assigning channel numbers for the channels of programs in the at least one foreign digital data transmission that are in a higher range than the channel numbers for the channels of programs in the at least one domestic digital data transmission (see page 10, lines 17 to 23. That the foreign channels are assigned higher channel numbers than the domestic channels follows logically from the assignation of the domestic channels to the lowest channel numbers; see page 7, lines 18 to 26).

3. INDEPENDENT CLAIM 13

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 13 is not new in the sense of Article 33(2) PCT. Document D1 further discloses (the references in parenthesis applying to this document):

a method for providing logical channel numbers, comprising:

receiving a plurality of domestic digital data transmissions of digital data services with different regional content (see page 9, lines 1 to 8);

wherein the plurality of domestic digital data transmissions include logical channel number data for channels of programs therein (see page 7, lines 4 to 16);

determining a particular one of the plurality of domestic digital data transmissions that has the strongest service (see page 11, lines 4 to 16);

assigning channel numbers for the channels of programs in the particular one of the domestic digital data transmissions that has the strongest service according, to the logical channel number data therein (see page 11, lines 4 to 19); and

assigning channel numbers, for the channels of programs in the plurality of domestic digital data transmissions other than the particular one of the domestic digital data transmissions that has the strongest service, that are grouped in at least one group, and that are in a higher range than the channel numbers for identifying the channels of programs in the particular one of the domestic digital data transmissions that has the strongest service (see page 11, lines 4 to 19. That the weaker domestic channels, i.e. those from other regions, are assigned higher channel numbers than the stronger domestic channels follows logically from the assignation of the domestic channels to the lowest channel numbers; see page 7, lines 18 to 26).

4. INDEPENDENT CLAIM 18

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 18 is not new in the sense of Article 33(2) PCT, for the same reasons as already presented in respect to claim 1.

5. INDEPENDENT CLAIM 19

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 19 is not new in the sense of Article 33(2) PCT, for the same reasons as already presented in respect to claim 13.

6. INDEPENDENT CLAIM 20

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 20 is not new in the sense of Article 33(2) PCT, for the same reasons as already presented in respect to claim 1.

7. DEPENDENT CLAIMS 2, 9-12, 14

Dependent claims 2, 9-12, 14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

8. DEPENDENT CLAIMS 3-8, 15-17

The combination of the features of dependent claims 3-8, 15-17 are neither known from, nor rendered obvious by, the available prior art.